

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1324

Introduced by Assembly Member Bass

February 27, 2009

~~An act to amend Sections 18250, 18251, 18253, 18253.5, 18254, 18255, 18256, and 18256.5 of, and to amend the heading of Chapter 4 (commencing with Section 18250) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to public social services.~~
An act to amend Section 10618.6 of the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1324, as amended, Bass. ~~Children: wrap-around services. Foster youth: identity theft.~~

Under existing law, a county welfare department is required to request a consumer disclosure, pursuant to federal law, on behalf of a youth in a foster care placement in the county, when the youth reaches his or her 16th birthday, in order to ascertain whether the youth has been the victim of identity theft. If the consumer disclosure reveals any negative items, or evidence that identity theft has occurred, existing law requires the county welfare department to refer the youth to an approved organization that provides services to victims of identity theft. Existing law requires the department to develop a list of approved organizations for this purpose, in consultation with the County Welfare Directors Association and others.

This bill would revise the above provisions, to require the county welfare department to ascertain whether identity theft may have occurred under the described circumstances. The bill would require the youth to be referred to a government or nonprofit organization that

provides information and assistance to victims of identity theft, rather than to an approved counseling organization.

~~Under existing law, the State Department of Social Services administers a pilot project that authorizes a county to develop and implement a plan for providing wrap-around services designed to enable children who would otherwise be placed in a group home setting to remain in the least restrictive, most family-like setting possible. The pilot project also imposes specified evaluation and reporting requirements for participating counties, and training requirements for staff in participating counties.~~

~~This bill would remove the designation of this program as a pilot project and make conforming changes.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10618.6 of the Welfare and Institutions
2 Code is amended to read:
3 10618.6. When a youth in a foster care placement reaches his
4 or her 16th birthday, the county welfare department shall request
5 a consumer disclosure, pursuant to the free annual disclosure
6 provision of the federal Fair Credit Reporting Act, on the youth's
7 behalf, notwithstanding any other provision of law, to ascertain
8 whether or not identity theft ~~has may have~~ occurred. If ~~there is~~ a
9 consumer disclosure for the youth *exists*, and if the consumer
10 disclosure reveals any negative items, or any evidence that some
11 form of identity theft ~~has may have~~ occurred, the county welfare
12 department shall refer the youth to ~~an approved counseling a~~
13 governmental or nonprofit organization that provides ~~services~~
14 information and assistance to victims of identity theft. The State
15 Department of Social Services, in consultation with the County
16 Welfare Directors Association, consumer credit reporting agencies,
17 and other relevant stakeholders, shall develop a list of ~~approved~~
18 organizations to which youth may be referred for assistance in
19 responding to an instance of suspected identity theft. Nothing in
20 this section shall be construed to require the county welfare
21 department to request more than one consumer disclosure on behalf
22 of a youth in care, or to take steps beyond referring the youth to
23 an ~~approved~~ organization.

1 ~~SECTION 1. The heading of Chapter 4 (commencing with~~
2 ~~Section 18250) of Part 6 of Division 9 of the Welfare and~~
3 ~~Institutions Code is amended to read:~~

4
5 ~~CHAPTER 4. COUNTY WRAP-AROUND SERVICES PROGRAM~~
6

7 ~~SEC. 2. Section 18250 of the Welfare and Institutions Code is~~
8 ~~amended to read:~~

9 ~~18250. (a) It is the intent of the Legislature that all counties~~
10 ~~be authorized to provide children with service alternatives to group~~
11 ~~home care through the development of expanded family-based~~
12 ~~services programs. These programs shall include individualized~~
13 ~~or “wrap-around” services, where services are wrapped around a~~
14 ~~child living with his or her birth parent, relative, adoptive parent,~~
15 ~~licensed or certified foster parent, or guardian. The wrap-around~~
16 ~~services developed under this section shall build on the strengths~~
17 ~~of each eligible child and family and be tailored to address their~~
18 ~~unique and changing needs.~~

19 ~~(b) It is further the intent of the Legislature that the child~~
20 ~~wrap-around services program include the following elements:~~

21 ~~(1) Making available to the county the state share of nonfederal~~
22 ~~reimbursement for group home placement, minus the state share,~~
23 ~~if any, of any concurrent out-of-home placement costs, for children~~
24 ~~eligible under this chapter, for the purpose of allowing the county~~
25 ~~to develop family-based service alternatives.~~

26 ~~(2) Enabling the county to access all possible sources of federal~~
27 ~~funds for the purpose of developing family-based service~~
28 ~~alternatives.~~

29 ~~(3) Encouraging collaboration among persons and entities~~
30 ~~including, but not limited to, parents, county welfare departments,~~
31 ~~county mental health departments, county probation departments,~~
32 ~~county health departments, special education local planning~~
33 ~~agencies, school districts, and private service providers for the~~
34 ~~purpose of planning and providing individualized services for~~
35 ~~children and their birth or substitute families.~~

36 ~~(4) Ensuring local community participation in the development~~
37 ~~and implementation of wrap-around services by county placing~~
38 ~~agencies and service providers.~~

1 ~~(5) Preserving and using the service resources and expertise of~~
2 ~~nonprofit providers to develop family-based and community-based~~
3 ~~service alternatives.~~

4 ~~SEC. 3. Section 18251 of the Welfare and Institutions Code is~~
5 ~~amended to read:~~

6 ~~18251. As used in this chapter:~~

7 ~~(a) “County” means each county participating in an~~
8 ~~individualized or “wrap-around” services program.~~

9 ~~(b) “County placing agency” means a county welfare or~~
10 ~~probation department, or a county mental health department with~~
11 ~~respect to those children placed pursuant to Section 7572.5 of the~~
12 ~~Government Code.~~

13 ~~(c) “Eligible child” means a child who is any of the following:~~

14 ~~(1) A child who has been adjudicated as either a dependent or~~
15 ~~ward of the juvenile court pursuant to Section 300, 601, or 602~~
16 ~~and who would be placed in a group home licensed by the~~
17 ~~department at a rate classification level of 10 or higher.~~

18 ~~(2) A child who would be voluntarily placed in out-of-home~~
19 ~~care pursuant to Section 7572.5 of the Government Code.~~

20 ~~(3) A child who is currently, or who would be, placed in a group~~
21 ~~home licensed by the department at a rate classification level of~~
22 ~~10 or higher.~~

23 ~~(d) “Wrap-around services” means community-based~~
24 ~~intervention services that emphasize the strengths of the child and~~
25 ~~family and includes the delivery of coordinated, highly~~
26 ~~individualized unconditional services to address needs and achieve~~
27 ~~positive outcomes in their lives.~~

28 ~~(e) “Service allocation slot” means a specified amount of funds~~
29 ~~available to the county to pay for an individualized intensive~~
30 ~~wraparound services package for an eligible child. A service~~
31 ~~allocation slot may be used for more than one child on a successive~~
32 ~~basis.~~

33 ~~SEC. 4. Section 18253 of the Welfare and Institutions Code is~~
34 ~~amended to read:~~

35 ~~18253. Each county shall ensure that an evaluation of the~~
36 ~~wrap-around services program is conducted to determine the cost-~~
37 ~~and treatment effectiveness of outcomes such as family functioning~~
38 ~~and social performance, preventing placement in more restrictive~~
39 ~~environments, improving emotional and behavioral adjustments,~~
40 ~~school attendance, and academic performance for eligible children.~~

1 Systems of care outcomes shall be included to the extent they are
2 applicable to the target population.

3 SEC. 5. Section 18253.5 of the Welfare and Institutions Code
4 is amended to read:

5 18253.5. Each county shall ensure that staff participating in
6 the wrap-around services programs have completed training
7 provided or approved by the department, on providing
8 individualized wrap-around services.

9 SEC. 6. Section 18254 of the Welfare and Institutions Code is
10 amended to read:

11 18254. (a) Reimbursement rates for wrap-around services
12 programs, under this chapter, shall be based on the following
13 factors:

14 (1) The average cost of rate classification 10 to 11 in each
15 county, minus the cost of any concurrent out-of-home placement,
16 for children who are or would be placed in a rate level 10 or 11
17 group home.

18 (2) The average cost of rate classification 12 to 14 in each
19 county, minus the cost of any concurrent out-of-home placement,
20 for children who are or would be placed in a rate level 12 to 14
21 group home.

22 (b) The annual maximum limit on funding available for the
23 wrap-around services program authorized by this chapter shall be
24 based on the average cost, determined pursuant to subdivision (a),
25 for the number of service allocation slots assigned to each county.

26 (c) The department shall reimburse each county, for the purpose
27 of providing intensive wrap-around services, up to 100 percent of
28 the state share of nonfederal funds, to be matched by each county's
29 share of cost as established by law, and to the extent permitted by
30 federal law, up to 100 percent of the federal funds allocated for
31 group home placements of eligible children, at the rate authorized
32 pursuant to subdivision (a).

33 (d) State and, to the extent permitted by federal law, federal
34 foster care funds shall remain with the administrative authority of
35 the county welfare department, which may enter into an interagency
36 agreement to transfer those funds, and shall be used to provide
37 intensive wraparound services.

38 (e) General Fund costs for the provision of benefits to eligible
39 children, at rates authorized by subdivision (a), through the
40 wrap-around services program authorized by this chapter, shall

1 not exceed the costs which would otherwise have been incurred
2 had the eligible children been placed in a group home.

3 SEC. 7. Section 18255 of the Welfare and Institutions Code is
4 amended to read:

5 18255. Any county that applies to, and is granted approval, by
6 the department may implement a wrap-around services program.
7 The number of service allocation slots assigned to each county
8 shall be determined by each county and approved by the
9 department.

10 SEC. 8. Section 18256 of the Welfare and Institutions Code is
11 amended to read:

12 18256. Each county shall evaluate its wrap-around services
13 program, prepare periodic evaluations, and submit them to the
14 appropriate committees of the Legislature and to the department.
15 A report shall be submitted not later than six months following
16 the start of the third year of the wrap-around services program. A
17 subsequent report shall be submitted not later than six months
18 following the end of the fifth year of the wrap-around services
19 program. These reports shall assess the effectiveness of the
20 wrap-around services program authorized by this chapter. The
21 reports shall include, but need not be limited to, all of the
22 following:

23 (a) The effectiveness of the programs in reducing the level of
24 out-of-home services required, and in reducing the average length
25 of stay in out-of-home care.

26 (b) A comparison of the cost of placement and services for
27 children in the wrap-around services program with the average
28 cost of out-of-home placement for the same number of children.

29 (c) The effectiveness of the wrap-around services program in
30 assisting children and families in attaining their service goals.

31 SEC. 9. Section 18256.5 of the Welfare and Institutions Code
32 is amended to read:

33 18256.5. In order to prevent disruption to a child participating
34 in a wrap-around services program, any county that terminates its
35 wrap-around services program shall continue to provide to that
36 participating child all planned services specified in the child's
37 individualized services plan until his or her case is closed.